THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P.Nos.28710 AND 28711 OF 1996

DATE: 24-1-2007

Between:

M.R.Yadgiri ... Petitioner

And

1. The Addl. Industrial Tribunal-cum-
Labour Court, Hyderabad and another .. Respondents

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COMMON O R D E R:

In both these writ petitions the questions which arise for consideration is the same. All the petitioners herein claim to have worked with the Gandhi Hospital, Secunderabad during the strike period in 1986. The Government had issued G.O.M.No.69 dated 10.2.1987 directing the Heads of Departments to give preference in the matter of employment to such of those persons who were appointed on ad-hoc basis on daily wages during the strike period and whose services were subsequently terminated consequent to the strike being called off. Seeking a direction that they be appointed pursuant to the said G.O, and questioning the action of the respondents in terminating their services, the petitioners invoked the jurisdiction of the Additional Industrial Tribunal-cum-Additional Labour Court, Hyderabad under Section 2-A(2) of the Industrial Disputes Act, 1947. The Additional Industrial Tribunal found, as a fact, that the petitioners had failed to prove that they worked during the strike period and held that they were not entitled for the relief sought for. It is well settled that this Court under Article 226 of the Constitution of India would not sit in appeal over findings of fact recorded by the Tribunal nor would it reappreciate the evidence on record to come to a conclusion different from that arrived at by the

Tribunal. It is only if the findings are perverse or are based on no evidence would this Court be justified in interfering in the matter. In the present case as the findings arrived at by the Tribunal are based on the evidence on record they do not call for interference.

Both the writ petitions fail and are accordingly dismissed. No order as to costs.

24-1-2006

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